IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3343 OF 2007
IN
CIVIL APPLICATION NO.5333 OF 2006
IN
FIRST APPEAL NO.3113 OF 2006

Smt.Bharati N.Shah & Ors. .. Applicants

Vs.

New India Assurance Co.Ltd & Ors.. Respondents

Mr.Jamshed Mistry i/b M/s.Rawell and Kudrolli for the applicants

Ms.Ratna Bhargawan for the respondents

**CORAM : J.N.PATEL &**
**A.A.SAYED, JJ.**

**DATED : 9TH JULY, 2007**

P.C.:

1. Heard. Application is allowed in terms of prayer clause (b). The petitioners are permitted to withdraw the amount on furnishing surety to the satisfaction of the Tribunal.

2. As we have permitted the respondents

claimants to withdraw part of the amount which has been deposited by the appellant in the Tribunal, there will be stay of execution in so far as the appellant is concerned on the appellant depositing the balance amount within the period of 6 weeks, which shall be invested by the Tribunal in a term deposit as per usual practice.

**( SHRI J.N. PATEL, J )**

**( SHRI A.A. SAYED, J )**